

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

IN RE REFCO INC. SECURITIES LITIGATION

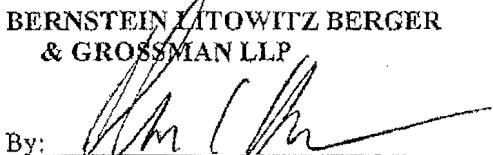
MASTER FILE NO.
05 CV 8626 (JSR)

**STIPULATION OF VOLUNTARY DISMISSAL OF DEFENDANTS
PHILLIP R. BENNETT, REFCO GROUP HOLDINGS, INC.,
AND THE PHILLIP R. BENNETT THREE YEAR ANNUITY TRUST**

IT IS HEREBY STIPULATED AND AGREED, by and among counsel for the undersigned parties, pursuant to Fed. R. Civ. P. 41(a)(1), that:

1. All claims asserted in this action by Lead Plaintiffs against defendants Phillip R. Bennett, Refco Group Holdings, Inc., and The Phillip R. Bennett Three Year Annuity Trust are hereby dismissed.
2. Each party shall bear his or its own costs and attorneys' fees in connection with the claims dismissed herein and no party will assert that the claims were brought, prosecuted or defended in bad faith or in violation of Fed. R. Civ. P. 11.

**BERNSTEIN LITOWITZ BERGER
& GROSSMAN LLP**

By: 

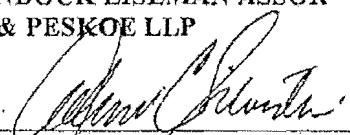
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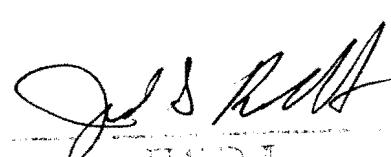
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Phillip R. Bennett Three Year Annuity Trust*


J.S. Roll
U.S.D.J.
10-20-10
